



**CITY OF BUCKEYE
REGULAR COUNCIL MEETING AND EXECUTIVE SESSION
AUGUST 2, 2016
MINUTES**

**City Council Chambers
530 E. Monroe Ave.
Buckeye, AZ 85326
6:00 p.m.**

1. Call to Order/Invocation/Pledge of Allegiance/Roll Call

Mayor Meck called the meeting to order at 6:00 p.m. Pastor Nate Schaus of Summit Community Church led the invocation. Vice Mayor Hess led the Pledge of Allegiance.

Members Present: Councilmember Garza, Councilmember Orsborn, Councilmember McAchran, Councilmember Heustis, Vice Mayor Hess, and Mayor Meck.

Members Absent: None.

Departments Present: Interim City Manager Roger Klingler, City Attorney Shiela Schmidt, City Clerk Lucinda Aja, Deputy City Clerk Summer Stewart, Assistant to Council Carol Conley, Police Chief Larry Hall, Fire Chief Bob Costello, Finance Director Larry Price, Human Resources Director Nancy Love, Public Works Director Scott Lowe, Economic Development Director Len Becker, Community Services Director Cheryl Sedig, Development Services Director George Flores, Information Technology Director Greg Platacz, City Engineer Scott Zipprich, Marketing and Communications Manager Bo Larsen, Deputy Director of Planning Terri Hogan, Library Manager Jana White, Intergovernmental Affairs Manager George Diaz, and Construction and Contracting Manager Chris Williams.

2A. Comments from the Public

Cheryl Hanson-McGant provided statements and concerns related to utility rates.

2B. Awards/Presentations/Proclamations

Mayor Meck proclaimed August 2016 as “Drowning Impact Awareness Month”.

Mayor Meck presented Certificates of Completion to participants of the Youth Entrepreneur Outreach Network (YEON) Summer Camp.

3. Minutes

A motion was made by Councilmember Heustis and seconded by Councilmember Orsborn to approve the minutes of the June 21, 2016 Executive Session and Special Council Meeting, June 21, 2016 Council Workshop, June 21, 2016 Regular and Special Council Meeting, June 29, 2016 Special Council Meeting, July 5, 2016 Council Workshop, and July 5, 2016 Regular Council Meeting. Motion passed unanimously.

4. Expenditures

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to ratify the payment of the accounts payable expenditures made. Motion passed unanimously. Copies of invoices are available at City Hall.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters. Vice Mayor Hess requested Item *5K. be pulled for discussion. A motion was made by Councilmember Heustis and seconded by Councilmember Orsborn to approve Consent Items *5A., *5B., *5C., *5D., *5E., *5F., *5G., *5H., *5I., *5J., and *5L. Motion passed unanimously.

***5. New Business**

- *5A. Council to take action on Resolution No. 56-16 approving the modification to the Intergovernmental Agreement between the City of Buckeye and the State of Arizona acting through the Arizona Department of Revenue (ADOR) regarding the administration of taxes imposed by the City.**
Staff Liaison: Larry Price, Finance Director

Council adopted Resolution No. 56-16 approving the modification to the Intergovernmental Agreement between the City of Buckeye and the State of Arizona acting through the Arizona Department of Revenue (ADOR) regarding the administration of taxes imposed by the City.

- *5B. Council to take action on Resolution No. 58-16 ratifying the submission of a grant proposal to the Tohono O'Odham Nation for Proposition 202 funding for equipment, supplies and personnel for the Buckeye Fire-Medical Rescue Department's Community Paramedicine Program which supports public health care and public safety areas within the City; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and City Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.**
Staff Liaison: Bob Costello, Fire Chief

Council adopted Resolution No. 58-16 ratifying the submission of a grant proposal to the Tohono O'Odham Nation for Proposition 202 funding for equipment, supplies and personnel for the Buckeye Fire-Medical Rescue Department's Community Paramedicine Program which supports public health care and public safety areas within the City; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and City Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.

- *5C. Council to take action on Resolution No. 57-16 authorizing the submission of a grant application to Union Pacific Railroad's Community-Based Grant Program for equipment, supplies and funds to support personnel of the Buckeye Fire-Medical Department's Community Paramedicine Program; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.**
Staff Liaison: Bob Costello, Fire Chief

Council adopted Resolution No. 57-16 authorizing the submission of a grant application to Union Pacific Railroad's Community-Based Grant Program for equipment, supplies and funds to support personnel of the Buckeye Fire-Medical Department's Community Paramedicine Program; authorizing the acceptance of any resulting grant award; and authorizing the City Manager and Fire Chief to execute and deliver the resulting Grant Agreement on behalf of the City.

- *5D. Council to take action on approval of a Replat of Festival Ranch Phase II - Unit 19, located at the southeast corner of Festival Foothills and adjacent to Sun Valley Parkway within the Festival Ranch Master Planned Community.**
Staff Liaison: Ed Boik, Principal Planner

Council approved a Replat of Festival Ranch Phase II - Unit 19, located at the southeast corner of Festival Foothills and adjacent to Sun Valley Parkway within the Festival Ranch Master Planned Community.

- *5E. Council to take action on approval of the Estoppel Agreement by and between Tartesso 1261, L.L.C., an Arizona limited liability company successor by merger with Stardust-Tartesso W12, Inc., an Arizona corporation, Tartesso Partners LLC, an Arizona limited liability company, and the City of Buckeye.**
Staff Liaison: Ed Boik, Principal Planner

Council approved the Estoppel Agreement by and between Tartesso 1261, L.L.C., an Arizona limited liability company successor by merger with Stardust-Tartesso W12, Inc., an Arizona corporation, Tartesso Partners LLC, an Arizona limited liability company, and the City of Buckeye.

- *5F. Council to take action on approval of a Map of Dedication and acceptance of a Public Utility Easement for the northeast corner of Verrado Way and Energy Way.**
Staff Liaison: Scott Zipprich, City Engineer

Council approved a Map of Dedication and acceptance of a Public Utility Easement for the northeast corner of Verrado Way and Energy Way.

- *5G. Council to take action on Resolution No. 54-16 ratifying the submission of a grant application to the Federal Aviation Administration for grant funds to assist with maintenance equipment storage building design for the Buckeye Municipal Airport; authorizing the acceptance of any resulting grant award; and authorizing the Mayor or City Manager to execute and deliver the resulting Grant Agreement on behalf of the City.**
Staff Liaison: Scott Lowe, Public Works Director

Council adopted Resolution No. 54-16 ratifying the submission of a grant application to the Federal Aviation Administration for grant funds to assist with maintenance equipment storage building design for the Buckeye Municipal Airport; authorizing the acceptance of any resulting grant award; and authorizing the Mayor or City Manager to execute and deliver the resulting Grant Agreement on behalf of the City.

- *5H. Council to take action on approval of a Contract (No. 2017-09-BKY) between the City of Buckeye and the Area Agency on Aging Region One, Incorporated, for Fiscal Year 2016-2017 congregate and home-delivered meal programs, transportation, and multi-center operations for the City of Buckeye Community Center; and authorize the City Manager to execute and deliver said Contract.**
Staff Liaison: Phil Yabes, Community Center Manager

Council approved a Contract (No. 2017-09-BKY) between the City of Buckeye and the Area Agency on Aging Region One, Incorporated, for Fiscal Year 2016-2017 congregate and home-delivered meal programs, transportation, and multi-center operations for the City of Buckeye Community Center; and authorize the City Manager to execute and deliver said Contract.

- *5I. Council to take action on approval of the Vehicle Lease Agreement between the City of Buckeye and Area Agency On Aging Region One, Incorporated, for Fiscal Year 2016-2017; and authorize the City Manager to execute and deliver said Agreement.**
Staff Liaison: Phil Yabes, Community Center Manager

Council approved the Vehicle Lease Agreement between the City of Buckeye and Area Agency On Aging Region One, Incorporated, for Fiscal Year 2016-2017; and authorize the City Manager to execute and deliver said Agreement.

- *5J. Council to take action on approval of the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the FY 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: From Sanderson Ford one (1) 2017 Ford F550 (Contract No. ADSP014-063240), in an amount not to exceed \$55,959 for the Public Works Department, Streets Division, to replace one (1) 2006 F450 Sign Body Truck; From Freightliner of Arizona one (1) Freightliner 114SD (Contract No. ADSP015-093361), in an amount not to exceed \$193,056 for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F750 water truck; From San Tan Ford, one (1) 2017 Ford F150 (Contract No. W1E/ ADSP012-016671) in the amount not to exceed \$34,842 and one (1) 2017 Ford F250 (Contract No. F2A/ADSP012-016671) in the amount not to exceed \$26,584, for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F150 and one (1) 2007 Ford F150; From RDO Equipment, one (1) 2016 John Deere 710L (HGACBuy Contract No. EMO6-15) in the amount not to exceed \$177,607 for the Public Works Department, Streets Division, to replace one (1) 2006 John Deere 710; From LSH for emergency equipment and lighting (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$13,136 to equip the above, in a total amount not to exceed \$501,183; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases.**
Staff Liaison: Scott Lowe, Public Works Director

Council approved the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the FY 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: from Sanderson Ford one (1) 2017 Ford F550 (Contract No. ADSP014-063240), in an amount not to exceed \$55,959 for the Public Works Department, Streets Division, to replace one (1) 2006 F450 Sign Body Truck; From Freightliner of Arizona one (1) Freightliner 114SD (Contract No. ADSP015-093361), in an amount not to exceed \$193,056 for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F750 water truck; From San Tan Ford, one (1) 2017 Ford F150 (Contract No. W1E/ ADSP012-016671) in an amount not to exceed \$34,842 and one (1) 2017 Ford F250 (Contract No. F2A/ADSP012-016671) in an amount not to exceed \$26,584, for the Public Works Department, Streets Division, to replace one (1) 2006 Ford F150 and one (1) 2007 Ford F150; From RDO Equipment, one (1) 2016 John Deere 710L (HGACBuy Contract No. EMO6-15) in an amount not to exceed \$177,607 for the Public Works Department, Streets Division, to replace one (1) 2006 John Deere 710; From LSH for emergency equipment and lighting (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$13,136 to equip the above, in a total amount not to exceed \$501,183; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases.

- *5K. Council to take action on approval of the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the FY 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: From Midway Chevrolet three (3) 2017 Chevrolet Tahoe's (Contract No. ADSP013-038803) in an amount not to exceed \$118,996 for the Police Department to replace three (3) patrol vehicles (2012 Chevrolet Tahoe); From Larry H Miller Dodge Ram one (1) 2017 Dodge Charger (Contract No. ADSP013-049554) in an amount not to exceed \$37,640 for the Police Department to replace one (1) 2011 Ford F150; From San Tan Ford, One (1) 2017 Ford F250 (Contract No. W2B/ ADSP012-016671) in the amount not to exceed \$38,066 for the Police Department to replace one (1) 2012 Chevrolet Tahoe; One (1) 2017 Ford Explorer (Contract No. K8D/ ADSP012-016671) in an amount not to exceed \$39,238 for the Police Department to replace one (1) 2011 Chevrolet Tahoe; Five (5) 2017 Ford F150's (Contract No. W1C/ADSP12-016671) in an amount not to exceed \$165,425 for Police Department to replace one (1) 2009 Ford Taurus, Fire Department to replace two (2) 2007 Ford F150's, Neighborhood Services to replace one (1) 2006 Ford F150 and Library to replace one (1) 2005 Dodge Van; One (1) 2017 Ford F250 (Contract No. X2B/ADSP012-016671) in the amount not to exceed \$35,077 for Parks to replace one (1) 2008 Ford F250; One (1) 2017 Ford Escape (Contract No. P2D/ADSP012-016671) in the amount not to exceed \$23,042 for Motor Pool to replace one (1) 2006 Ford Escape; From John Deere (Stotz Equipment) one (1) 2016 John Deere HPX utility vehicle (Contract No. ADSP013-035803) in the amount not to exceed \$10,647 for Parks to replace one, (1) 2007 John Deere Gator; From LSH for emergency equipment and lighting from (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$99,028 to outfit the above vehicles; Miscellaneous equipment/materials from different vendors not to exceed \$33,425 to support the outfitting of these replacement vehicles, such items to include: radars, storage boxes and graphics approval of the budgeted General Fund Replacement Vehicles for Fiscal Year 16-17, in a total amount not to exceed \$600,584; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases.**
- Staff Liaison: Scott Lowe, Public Works Director

Vice Mayor Hess requested this Item be pulled for discussion. Mr. Lowe provided an overview of the vehicle replacement policy and stated staff is requesting an amendment to the request to reflect the purchase of a 2017 Ford F150 in the amount of \$36,675 from San Tan Ford, in place of the requested 2017 Dodge Charger in the amount of \$37,640 from Larry H. Miller Dodge Ram, for an updated total amount not to exceed \$599,619. Councilmember McAchran requested further information related to the replacement vehicle policy and the implementation of a take-home vehicle policy for the police department. Chief Hall provided information related to the additional cars needed and the potential benefits of a take-home vehicle policy. Councilmember Heustis provided statements related to the positive benefits of implementing a take-home vehicle policy for the police department. A motion was made by Vice Mayor Hess and seconded by Councilmember Orsborn to approve the following budgeted purchases in accordance with the City Vehicle Replacement Policy and budgeted in the Fiscal Year 2016-2017 City of Buckeye annual appropriation from various State contract sources as follows: from Midway Chevrolet three (3) 2017 Chevrolet Tahoe's (Contract No. ADSP013-038803) in an amount not to exceed \$118,996 for the Police Department to replace three (3) patrol vehicles (2012 Chevrolet Tahoe); from San Tan Ford one (1) 2017 Ford F150 (Contract No. W2B/ ADSP012-016671) in an amount not to exceed \$36,675 for the Police Department to replace one (1) 2011 Ford F150; from San Tan Ford, one (1) 2017 Ford F250 (Contract No. W2B/ ADSP012-016671) in an amount not to exceed \$38,066 for the Police Department to replace one (1) 2012 Chevrolet Tahoe; one (1) 2017 Ford Explorer (Contract No. K8D/ ADSP012-016671) in an amount not to exceed \$39,238 for the Police Department to replace one

(1) 2011 Chevrolet Tahoe; five (5) 2017 Ford F150's (Contract No. W1C/ADSP12-016671) in an amount not to exceed \$165,425 for Police Department to replace one (1) 2009 Ford Taurus, Fire Department to replace two (2) 2007 Ford F150's, Neighborhood Services to replace one (1) 2006 Ford F150 and Library to replace one (1) 2005 Dodge Van; one (1) 2017 Ford F250 (Contract No. X2B/ADSP012-016671) in an amount not to exceed \$35,077 for Parks to replace one (1) 2008 Ford F250; one (1) 2017 Ford Escape (Contract No. P2D/ADSP012-016671) in an amount not to exceed \$23,042 for Motor Pool to replace one (1) 2006 Ford Escape; From John Deere (Stotz Equipment) one (1) 2016 John Deere HPX utility vehicle (Contract No. ADSP013-035803) in an amount not to exceed \$10,647 for Parks to replace one (1) 2007 John Deere Gator; from LSH for emergency equipment and lighting (City of Tempe Contract No. FP-14-049) in an amount not to exceed \$99,028 to outfit the above vehicles; miscellaneous equipment/materials from different vendors not to exceed \$33,425 to support the outfitting of these replacement vehicles, such items to include: radars, storage boxes and graphics approval of the budgeted General Fund Replacement Vehicles for Fiscal Year 2016-2017, in a total amount not to exceed \$599,619; authorizing the City Manager or designee to execute and deliver all documents necessary for such purchases. Motion passed unanimously.

- *5L. Council to take action on the approval of the Public Utilities Easement Agreement by Western Properties, Inc., a Washington corporation, as Grantor, in favor of the City of Buckeye relating to the reclaimed water line for delivery of City reclaimed water to the Buckeye Elementary School District – Sundance Elementary School.**
Staff Liaison: Scott Zipprich, City Engineer

Council approved the Public Utilities Easement Agreement by Western Properties, Inc., a Washington corporation, as Grantor, in favor of the City of Buckeye relating to the reclaimed water line for delivery of City reclaimed water to the Buckeye Elementary School District – Sundance Elementary School.

6. Continued / Tabled Items-None

7. Public Hearings / Non-Consent - New Business

- 7A. Council to hold a public hearing and take action on Ordinance No. 15-16 increasing the corporate limits of the City of Buckeye, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and Amendments thereto, by annexing two (2) parcels containing approximately nine (9) acres generally located on the northwest corner of MC85 and Watson Road (Old Jones Ford Site).**
Staff Liaison: Adam Copeland, Principal Planner

Mayor Meck opened a public hearing at 6:36 p.m. to hear citizen input regarding annexation Ordinance No. 15-16. Mr. Copeland provided an overview of the annexation of the former Jones Ford Site, consisting of two parcels containing approximately nine acres; clarified the site is generally located on the *northeast* corner of MC85 and Watson Road. There being no public comment, Mayor Meck closed the public hearing at 6:38 p.m. A motion was made by Councilmember Heustis and seconded by Vice Mayor Hess to adopt Ordinance No. 15-16 increasing the corporate limits of the City of Buckeye, pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and Amendments thereto, by annexing two (2) parcels containing approximately nine (9) acres generally located on the northeast corner of MC85 and Watson Road (Old Jones Ford Site). Motion passed unanimously.

7B. Council to take action on approval of an Access/Utility Easement between the City of Buckeye and TowerCom VII, LLC (TowerCom) for the purposes of operations and maintenance on a cellular tower located on Buckeye Union High School property (baseball field) generally located at 901 East Eason Avenue, to include revenue of a \$3,500 one-time application fee and an annual fee of approximately \$250.37.

Staff Liaison: Scott Lowe, Public Works Director

Mr. Lowe provided information related to the access/utility easement and clarified the cellular tower will be the third tower located on this property. A motion was made by Councilmember Orsborn and seconded by Councilmember Heustis to approve an Access/Utility Easement between the City of Buckeye and TowerCom VII, LLC (TowerCom) for the purposes of operations and maintenance on a cellular tower located on Buckeye Union High School property (baseball field) generally located at 901 East Eason Avenue, to include revenue of a \$3,500 one-time application fee and an annual fee of approximately \$250.37. Motion passed unanimously.

7C. Executive Session and Public Session to consider, and if advisable, fill the District 4 Council vacancy.

a) A motion was made at 6:41 p.m. by Councilmember Orsborn and seconded by Vice Mayor Hess to convene into Executive Session pursuant to A.R.S. 38-431.03 (A)(1) and (3) to discuss or consider an appointment to fill the District 4 City Council vacancy for the remainder of the term ending in 2018, and to discuss and consult with the City Attorney to receive legal advice. Motion passed unanimously.

b) A motion was made at 7:51 p.m. by Councilmember Orsborn and seconded by Vice Mayor Hess to reconvene into the public meeting. Motion passed unanimously.

c) A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to appoint G. Patrick HagEstad to fill the District 4 City Council vacancy for the remainder of the term ending in 2018. A roll call vote reflected Councilmember Garza, Councilmember Orsborn, Vice Mayor Hess, and Mayor Meck voted aye; Councilmember McAchran and Councilmember Heustis voted nay. Motion carried.

8. City Manager's Report and Government Relations

Mr. Klingler complimented and recognized staff for efforts related to storm damage clean-up and emergency services provided.

Mr. Lowe provided information related to recent storm damage and displayed images of areas in the City that required emergency clean-up; thanked staff for excellent work related to the clean-up.

Ms. Sedig stated an \$80,000 State Parks grant has been awarded for trails at Skyline Regional Park; stated a \$1,000 grant has been awarded for youth sports.

9. Comments from the Mayor and Council

Councilmember Garza: welcomed Mr. HagEstad.

Councilmember Orsborn: welcomed Mr. HagEstad and thanked Mr. Larry Tracey for his application and participation.

Councilmember McAchran: welcomed Mr. HagEstad and thanked Mr. Tracey and all interested residents that applied for the vacant District 4 seat.

Councilmember Heustis: welcomed Mr. HagEstad and thanked Mr. Tracey and all applicants for participating in the process; discussed efforts and thanked staff for emergency services provided after recent storms and loss of electricity.

Vice Mayor Hess: thanked District 4 vacancy applicants and welcomed Mr. HagEstad.

Mayor Meck: welcomed Mr. HagEstad.

10. Council will make a motion to adjourn the meeting.

A motion was made by Councilmember Orsborn and seconded by Vice Mayor Hess to adjourn the meeting at 8:04 p.m. Motion passed unanimously.

Jackie A. Meck, Mayor

ATTEST:

Lucinda J. Aja, City Clerk

I hereby certify that the foregoing minutes are a true and correct copy of the Regular Council Meeting and Executive Session held on the 2nd day of August, 2016. I further certify that a quorum was present.

Lucinda J. Aja, City Clerk